

REMARKS

This is intended as a full and complete response to the Office Action dated April 28, 2010, having a shortened statutory period for response set to expire on July 28, 2010. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-5 and 20-28 are pending in the application. Claims 1-4, 20-24 and 26-28 remain pending following entry of this response. Claims 1-4, 20-24, 26 and 28 have been amended. Claims 5 and 25 have been cancelled. Applicants submit that the amendments do not introduce new matter.

Further, Applicants are not conceding in this application that those amended (or cancelled) claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the claimed subject matter. Applicants respectfully reserve the right to pursue these (pre-amended or cancelled claims) and other claims in one or more continuations and/or divisional patent applications.

Statement of Substance of Interview

On July 7, 2010, a telephonic interview was held between Casey S. Parks (attorney, Reg. #62,921) and the Examiner. The parties discussed the cited references including *Palomo*. Claims 1 and 5 were discussed. The parties also discussed proposed amendments to claim 1. The proposed amendments are reflected in this response.

During the interview, Applicants argued that the cited references fail to disclose all the elements of amended claim 1. The Examiner agreed that the amendments would overcome the current rejection, but expressed a desire to perform an updated search for the case.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejects claims 1-4 and 20-24 under 35 U.S.C. 103(a), arguing the claims are unpatentable over *Evans* (US 5,924,074A) taken with *Palomo et al.*, (US 2003/0120527A1, hereinafter referred to as "*Palomo*").

The Examiner rejects claims 5 and 25-28 under 35 U.S.C. 103(a), arguing the claims are unpatentable over *Evans* taken with *Palomo* as applied to claims 1-4 and 20-24 above, and further in view of *Clark et al.*, (US 5974389A, hereinafter referred to as "*Clark*").

Applicants respectfully submit that the combination of *Evans* in view of *Palomo* fails to disclose all the elements of amended claim 1. As such, claim 1, as amended, is believed to be allowable. Claim 20 was rejected for substantially the same reasons as claim 1, and was amended in substantially the same way. As claim 1 is believed to be allowable, claim 20 and all dependent claims are allowable as well. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

/Gero G. MCCLELLAN, Reg. #44227/

Gero G. McClellan
Registration No. 44,227
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant(s)